

12-0-0570

(Do Not Write Above This Line)

AN ORDINANCE BY  
FINANCE/EXECUTIVE COMMITTEE

AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER OR HIS DESIGNEE TO AUTHORIZE THE DEPARTMENT OF PUBLIC WORKS TO UTILIZE THE EXISTING SIDEWALK TRUST FUND ACCOUNT FOR INFRASTRUCTURE RECOVERY, BY ACCEPTING AND DEPOSITING FUNDS RECEIVED AS A RESULT OF INFRASTRUCTURE CLAIMS FILED BY THE CITY OF ATLANTA AGAINST INSURANCE PROVIDERS AND PERSONS THAT ARE LIABLE TO THE CITY AS A RESULT OF DAMAGE TO CITY INFRASTRUCTURE, AND TO USE SAID FUNDS TO PAY CORRESPONDING INCURRED EXPENSES, IN ORDER TO REPLACE AND/OR REPAIR THE DAMAGED INFRASTRUCTURE; AND FOR OTHER PURPOSES.

FILED  
JUL 02 2012

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 5/7/12  
 Referred To: Fin/Exec  
 Date Referred  
 Referred To:  
 Date Referred  
 Referred To:  
 Referred To:

Committee Date  
 Chair  
 Referred To  
 Finance/Executive  
 5/16/12  
 Chair  
 Action  
 Fav, Adv, Hold (see rev. side)  
 Other  
 Members

First Reading

Committee Date  
 Chair  
 Action  
 Fav, Adv, Hold (see rev. side)  
 Other  
 Members

Committee Date  
 Chair  
 Action  
 Fav, Adv, Hold (see rev. side)  
 Other  
 Members

Refer To

Refer To

Fin Committee  
 6-2-12  
 Date  
 Action  
 Fav, Adv, Hold (see rev. side)  
 Other  
 Members

Committee Date  
 Chair  
 Action  
 Fav, Adv, Hold (see rev. side)  
 Other  
 Members

Refer To

Refer To

Refer To

Refer To

- FINAL COUNCIL ACTION
- 2nd
  - 1st & 2nd
  - 3rd
  - Consent
  - V Vote
  - RC Vote

CERTIFIED  
 JUL 02 2012  
 ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED  
 JUL 03 2012  
 Municipal Clerk

MAYOR'S ACTION

RCS# 2135  
7/02/12  
2:31 PM

Atlanta City Council

MULTIPLE

12-O-0570 AND 12-R-0877

FILE

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 4  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	NV Watson
Y Young	Y Shook	NV Bottoms	Y Willis
Y Winslow	Y Adrean	NV Sheperd	NV Mitchell

MULTIPLE

**AN ORDINANCE BY  
FINANCE/EXECUTIVE COMMITTEE**

**AN ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER OR HIS DESIGNEE TO AUTHORIZE THE DEPARTMENT OF PUBLIC WORKS TO UTILIZE THE EXISTING SIDEWALK TRUST FUND ACCOUNT FOR INFRASTRUCTURE RECOVERY, BY ACCEPTING AND DEPOSITING FUNDS RECEIVED AS A RESULT OF INFRASTRUCTURE CLAIMS FILED BY THE CITY OF ATLANTA AGAINST INSURANCE PROVIDERS AND PERSONS THAT ARE LIABLE TO THE CITY AS A RESULT OF DAMAGE TO CITY INFRASTRUCTURE, AND TO USE SAID FUNDS TO PAY CORRESPONDING INCURRED EXPENSES, IN ORDER TO REPLACE AND/OR REPAIR THE DAMAGED INFRASTRUCTURE; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Department of Public Works ("DPW") is responsible for repairing or replacing City of Atlanta ("City") infrastructure that is damaged by the public due to car accidents and other factors; and

**WHEREAS**, this infrastructure may consist of traffic signal equipment, signs, and other equipment found in the public right-of-way; and

**WHEREAS**, the City receives funds from insurance claims and persons that are liable for the repair or replacement of the damaged infrastructure; and

**WHEREAS**, the City currently deposits these receipts into the General Fund; and

**WHEREAS**, DPW must replace the damaged infrastructure out of its own maintenance budget; and

**WHEREAS**, replacing said damaged infrastructure from car accidents and other factors is not fully funded in DPW's maintenance budget; and

**WHEREAS**, utilizing the existing DPW sidewalk trust account for infrastructure recovery will allow DPW to directly receive funds associated with damaged infrastructure due to car accidents and other factors, and pay for the repair or replacement of this infrastructure directly from this account; and

**WHEREAS**, the utilization of the sidewalk trust fund account will support acceptable accounting practices for the identified revenue stream and the allocation of expenses.

**NOW, THEREFORE, BE IT ORDAINED, BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:**

**Section 1:** That the Chief Financial Officer or his designee has authorized the Department of Public Works to utilize the existing sidewalk trust account for Infrastructure Recovery to accept

receipts from insurance claims and individuals that are liable as a result of damage to City infrastructure caused by accidents and other factors in the public right-of-way.

**Section 2:** That all revenues received will be deposited into FDOA 7701 (Trust Fund) 130308 (DPW Transportation Design) 3890007 (Recoveries) 4270000 (Traffic Engineering) Project 101619 (Citywide Sidewalk Program) Funding Source 91494 (Trust Fund) and all expenses incurred by DPW derived from incidents causing damage to City infrastructure will be paid from FDOA 7701 (Trust Fund) 130308 (DPW Transportation Design) 5999999 (Projects and Grants Budget) 4270000 (Traffic Engineering) Project 101619 (Citywide Sidewalk Program) Funding Source 91494 (Trust Fund).

**Section 3:** That all existing ordinances or parts of ordinances in conflict with this ordinance shall be waived to the extent of the conflict.